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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,624	07/21/2003	Edward J. McGunn	00272P0014US	5179
32116	7590	10/06/2005	EXAMINER SHAPIRO, JEFFERY A	
WOOD, PHILLIPS, KATZ, CLARK & MORTIMER 500 W. MADISON STREET SUITE 3800 CHICAGO, IL 60661			ART UNIT 3653	

DATE MAILED: 10/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

HC

## Office Action Summary

Application No.

10/623,624

Applicant(s)

MCGUNN ET AL.

Examiner

Jeffrey A. Shapiro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/24/03</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perkitney (US 6,638,157 B2) in view of Ishida et al (US 6,261,169 B1) and further in view of Levasseur (US 5,092,816).

Perkitney discloses a coin sorter with drawer (30) with coin tubes (36) placed in coin holder (32), said coin holder having columns (250) for receiving coin tubes, said columns being spaced by dividing material (230).

Perkitney does not expressly disclose, but Ishida discloses a sensor (33, 53) (see col. 6, lines 35-55) with controller (31) that determines quantity of tubes in the drawer.

Perkitney does not expressly disclose, but Levasseur discloses a controller (14) with coin sensors (18 and 22) that determines the quantity of currency in the coin sorter.

Perkitney, Ishida and Levasseur are considered to be analogous art because they all concern coin handling.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to have used the coin tube sensors as taught by Ishida and the coin sensing and accounting system of Levasseur in the system of Perkitney.

The suggestion/motivation to do so would have been to identify a particular set of coin tubes and therefore adjust the sorting routines accordingly (see Ishida, col. 6, lines 35-55) and to account for coins in the system. See Levasseur, col. 2, lines 35-68.

3. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collier et al (US 6,302,294 B1) in view of Perkitney (US 6,638,157 B2), further in view of Ishida et al (US 6,261,169 B1) and still further in view of Levasseur (US 5,092,816).

Perkitney, Ishida and Levasseur discloses the systems described above.

Collier discloses spaced dividers (3) that holds rolls of coins construed as tubes of coins, which are biased against push plate (5) that pushes coin tubes towards a withdrawing means (37).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to have used the coin tube sensors as taught by Ishida and the coin sensing and accounting system of Levasseur in the system of Collier.

The suggestion/motivation to do so would have been to identify a particular set of coin tubes and therefore adjust the sorting routines accordingly (see Ishida, col. 6, lines 35-55) and to account for coins in the system. See Levasseur, col. 2, lines 35-68.

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It would also have been obvious to have placed Collier's tube dispensing system in a drawer, as taught by Perkitny, so as to provide for ease of access to the coin tubes for maintenance or to fix jams, etc.

Regarding Claims 4 and 16, for example, sensing of the position of the biasing element, official notice is taken that it is well-known to locate the position of an element connected to a driving rotating member such as a motor by sensing encoder counts corresponding to linear motion. Note that such an encoder works with relay switches or the functional equivalent.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey A. Shapiro whose telephone number is (571)272-6943. The examiner can normally be reached on Monday-Friday, 9:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald P. Walsh can be reached on (571)272-6944. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jeffrey A. Shapiro  
Examiner  
Art Unit 3653

October 3, 2005



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